

EPA REGION III

◇Office of Public Affairs

◇PM Headline

Monday, January 30, 2012

***** PM HOT LIST *****

EPA Testing Dimock Water

WBGH.COM (late Friday) The EPA has completed well water sampling at 11 homes in Dimock this week. The EPA says it is also bringing in a truckload of water to four families each day. Daily water deliveries will continue until the EPA gets a better idea as to how much water each home needs. These are moves that have stepped on the toes - so to speak - of the Pennsylvania Department of Environmental Protection and Cabot Oil and Gas. Late last year, the DEP agreed with Cabot that the water in Dimock is safe and Cabot could stop delivering water to a group of families who presumably had their wells contaminated by drilling operations. However, the EPA says it's concerned with some of the results that the DEP and Cabot think are fine, so it's doing more testing. Trish Taylor says, "It's been reviewed for chemical compounds that we know are associated with drilling operations as well as heavy metals and organics in other compounds that we normally would look at to see if there were other potential health risks." Water deliveries will continue at least for about another five weeks, until test results come back. The EPA is conducting split sampling with the DEP and Cabot as long as the residents agree to it. So far 44 additional homes have agreed to let the EPA do more testing.

Hanger Slams CBS for Dimock Story

NPR-STATEIMPACT Former Department of Environmental Protection Secretary John Hanger says CBS "botched" a piece about Dimock's water contamination. The report aired on Saturday, and the link has no byline, but from the host intro, it sounds like the reporter's name is Tony Gadda. (a search of his name with different spellings didn't turn up anything on the CBS website) The reporter made a common mistake, he turned methane migration into fracking, despite Hanger's best efforts to the contrary. What gets Hanger's goat the most is that the CBS piece makes a direct link between Dimock's water contamination and fracking. Immediately after making that connection, the camera goes to Hanger himself who says "there are 18 water wells that have been impacted by poor gas drilling in Dimock."

Safe Gas Fracking Touted by Obama Disputed by Environmentalists

BLOOMBERG NEWS President Barack Obama's promotion of fracking as a safe way to boost natural gas production is disputed by environmentalists who say the government lacks tough rules to safeguard air and water. Groups such as Protecting Our Waters say hydraulic fracturing -- in which a mix of water, sand and chemicals are shot underground to break apart rock and free gas -- is tainting drinking water and causing more pollution than is cut by the cheap gas. The broad new federal legislation and regulation the groups advocate would tangle up

fracking in miles of red tape, industry leaders counter. "We're disappointed in his enthusiasm for shale gas," Iris Marie Bloom, director of Protecting Our Waters in Philadelphia, said in an interview. Obama "spoke about gas as if it's better for the environment, which it's not."

Pennsylvania, two neighbors vie to procure 'cracker'

PITTSBURGH TRIBUNE-REVIEW There's a whirlwind of competition swirling among Pennsylvania, Ohio and West Virginia for the chance to start a new generation of industry and manufacturing. Governors jetting off to Houston. State legislation on the fast track. Big tax breaks to be offered for 15 years in one state and 25 years in another. "I'd say it was pretty fever pitch," said Brenda Nichols Harper, vice president and general counsel of the West Virginia Chamber of Commerce. It's all for something called a "cracker." Royal Dutch Shell plc is just weeks from announcing which of the three states it will choose for its petrochemical plant, a cracker that will take ethane from shale gas and turn it into a primary building block for plastic products. The project could cost from \$1 billion to \$4 billion to build and offer hundreds of workers average annual salaries of \$60,000 or more. But that's not the prime reason the governors are courting Shell officials in private, and lawmakers are approving and considering multimillion-dollar tax breaks for some businesses.

Editorial Op-Ed: Governor, lawmakers, we're waiting for Marcellus legislation

PENN LIVE Marcellus Shale was one of the few topics in President Obama's State of Union address that garnered enthusiastic applause from both sides of the aisle. Well, he didn't actually say Marcellus Shale, but he might as well have. He praised the nation's supply of natural gas "that can last America nearly 100 years." He promised to "safely develop" natural gas to support more than 600,000 jobs, "because America will develop this resource without putting the health and safety of our citizens at risk." Frankly, that part of the president's speech sounded a lot like what Republican Gov. Tom Corbett has been saying for a year. But so far in Pennsylvania, it's been all talk and little action. Our state is still without a severance tax or impact fee on Marcellus Shale drillers, let alone updated safety and environmental regulations for the industry. Companies only have to post a \$2,500 bond per well, an amount that hasn't changed since the 1980s and isn't going to go a long way if there's an incident.

Maryland gas-drilling panel starts 2nd round of work

ASSOCIATED PRESS (Md.) (AP) ANNAPOLIS — A state panel is starting work in Annapolis on a second set of recommendations for natural-gas drilling in western Maryland. The Marcellus Shale Advisory Commission meets Friday afternoon in the House of Delegates Office Building. Gov. Martin O'Malley appointed the panel last year to minimize any adverse effects from hydraulic fracturing, or fracking. The drilling technique uses water and chemicals to crack the rock and release the gas. The Department of Natural Resources is scheduled to present plans for monitoring streams and wells for any ill effects. The commission's first report recommended that the state impose a fee on gas leases to fund studies about the impact of drilling. The next set of recommendations due Aug. 1 will cover best practices for exploration and production.

Blog: MD sees Bay cleanup costing \$7.5 billion by 2017

BALTIMORE-SUN Maryland officials have filled in the blanks on their draft Chesapeake Bay cleanup plan, and attached an eye-popping pricetag - \$7.5 billion over the next five years, and nearly double that by 2025. The cost estimates aren't a total shock, as state officials have previously ballparked restoration efforts at around \$15 billion when all was said and done. The plan calls for reducing in-state nitrogen discharges and runoff to the bay by 22 percent and curbing phosphorus nearly 15 percent. The reductions would not fall evenly, with a 30 percent cutback in phosphorus expected from retrofitting storm-water runoff controls in existing communities and a 38 percent drop in nitrogen from septic systems proposed. Even though the O'Malley administration has given itself more time to finish putting bay cleanup measures in place - dropping its 2020 deadline back to 2025, with all the rest of the bay states - Maryland officials still project getting the lion's share of the pollution reductions under way in the next five

years. The plan forecasts 78 percent of the nitrogen cutbacks and 98 percent of the phosphorus curbs will be set by 2017. Maryland and the other five states that drain into the Chesapeake Bay have been scrambling since 2010 to come up with detailed blueprints for restoring the ailing estuary, to comply with a "pollution diet" drawn up by the Environmental Protection Agency.

*** MORNING HOT LIST ***

In Dimock, EPA testing draws mixed reaction

SCRANTON TIMES-TRIBUNE DIMOCK TWP. - Two teams of scientists sampling well water from four homes a day are producing a picture of the aquifer under this Susquehanna County town that will help define the impact of natural gas drilling on drinking water. The water captured in vials and packed in coolers by scientists and contractors for the Environmental Protection Agency since Jan. 23 is the heart of an investigation spurred by concerns that Cabot Oil & Gas Corp.'s Marcellus Shale drilling and hydraulic fracturing tainted water wells. In a divided village where gas drilling is as earnestly embraced as it is criticized, the controversy over the EPA's fieldwork started before the sampling did.

EPA will test Susquehanna County water supplies for fracking contamination

READING EAGLE McClachy-Tribune (Sunday) The national agency will also supply drinking water for four Dimock Township homes with water tests already of concern. The federal government was to begin testing water supplies for 61 homes in Dimock Township, Susquehanna County, as soon as Jan. 20 in a dramatic expansion of the Environmental Protection Agency's current investigation into potential contamination by natural gas drilling and hydraulic fracturing. Citing its authority under the Superfund law, the EPA will also begin providing replacement drinking water supplies to four township homes where water tests taken by outside firms raised health concerns - some of them rising to the level of an "imminent and substantial threat" in houses where small children live, the agency said. The EPA reached out to both the state Department of Environmental Protection and Cabot Oil & Gas Corp., the Marcellus Shale driller active in the area, to ask if they would be interested in working with the agency as it collects data. Both agreed to cooperate Jan. 19, but indicated they were not convinced that the EPA's actions were necessary.

State still in running for cracker, Tomblin says

ASSOCIATED PRESS (W. Va.) CHARLESTON, W. Va. -- Fresh from a trip to Houston to lure a multibillion-dollar chemical processing plant to West Virginia, Gov. Earl Ray Tomblin may ask the Legislature to consider a new incentive to aid the state's quest, he told The Associated Press in a weekend interview. In his first comments to the media since Thursday's lengthy meeting with potential investors, Tomblin said the proposal involves the potential site for one of these "cracker" plants. He declined to be more specific about the possible incentive. "I'm not sure that I can tell what that is," Tomblin told AP. "We may have to come back to the Legislature another time in order to satisfy some of their needs ... It could very well be this session."

DEP takes public comment on revised oil and gas permits

POTTSTOWN MERCURY HARRISBURG — The Department of Environmental Protection announced today it has submitted a revised version of its erosion and sediment control general permit for earth disturbance associated with oil and gas activities for publication in the Pennsylvania Bulletin, along with four other supporting documents, including a draft permit application and a policy explaining the permit requirements. DEP revised the permit and the associated documents to incorporate recent regulatory revisions, to improve the administration of the

program and to implement changes agreed to in a settlement with the Chesapeake Bay Foundation, Talisman Energy USA Inc. and Ultra Resources Inc. "As a result of this agreement, the department has met with stakeholders from industry and environmental organizations to develop a permit that provides both regulatory certainty and continued protection of the state's waterways," DEP Secretary Mike Krancer said.

Maryland's bay restoration plan available for public comment

ASSOCIATED PRESS (Md.) ANNAPOLIS— Maryland's plan for restoring the Chesapeake Bay is now available for public comment. The state presented the plan to the Environmental Protection Agency last month as part of a new federally led effort to restore the bay. The EPA asked all six states in the bay watershed to present their plans for complying with its so-called "pollution diet" for restoring the nation's largest estuary. The Maryland Department of the Environment is also holding public meetings statewide during the public comment period, which ends March 9. Public meetings will be held in Chestertown, College Park, Hagerstown, Baltimore County and Baltimore.

Septics legislation prompts criticism, confusion

ASSOCIATED PRESS (Md.) BALTIMORE — A reworked bill to control septic systems in Maryland hasn't calmed concerns about state control of local land use, officials with two key stakeholder groups said. Les Knapp Jr., associate director of the Maryland Association of Counties, said it is better than a bill introduced last year but still poses concerns for the state's counties. The largest concern is the expansion of state authority to approve residential subdivisions, he said. Val Connelly, government relations director for the Maryland Farm Bureau, said Friday that the complexity of the bill is an issue, and her group wants to make sure it receives enough study. States in the Chesapeake watershed are working to comply with the U.S. Environmental Protection Agency's tougher, federally led bay restoration plan that requires additional pollution cuts in all areas. Gov. Martin O'Malley surprised many last year with a proposal to ban septic systems, which are a source of nitrogen pollution, for major new developments.

Fairfax to pay penalty for wastewater spills

WASHINGTON POST Fairfax County has agreed to pay a civil penalty and enter into a consent decree with Virginia's State Water Control Board because of a series of wastewater spills last year, including the discharge of nearly 600,000 gallons of rust-tinged sludge into Pohick Creek and several smaller sewage spills, officials said. After a closed session to discuss legal affairs at its regular meeting last Tuesday, the Fairfax Board of Supervisors disclosed that the county would enter the consent decree. The county also will pay more than \$15,000 into the Department of Environmental Quality's Environmental Response Fund, according to an unsigned copy of the decree. The enforcement action, which is a formal acknowledgment of lapses and of a plan for future compliance, is a rare blemish on the record of a county that prides itself on caring for the environment. It's also a reminder of the challenges Virginia's biggest jurisdiction faces in managing a vast, aging water treatment system.

PENNSYLVANIA

PHILADELPHIA INQUIRER

From Early Bird Home efficiency tips from the US secretary of energy Households in the United States consume nearly a quarter of the nation's energy - 23 percent. When President Obama spoke about domestic energy production and energy efficiency in his State of the Union address last week - "the easiest way to save money is to waste less energy," he said - the cameras briefly panned to Department of Energy Secretary Steven Chu, a Nobel Prize-winning physicist. He was smiling slightly and nodding. Before becoming energy secretary in 2009, Chu directed the Energy Department's Lawrence Berkeley National Lab, known for its work on energy. Chu was in Philadelphia recently to

receive the Franklin Founders Award, given each year on Benjamin Franklin's birthday to someone who has advanced one of Franklin's interests, including energy.

PITTSBURGH POST-GAZETTE

From Early Bird Letters to the editor **The XL pipeline isn't the way to create jobs.** When advocating for the construction of the Keystone XL pipeline, the oil industry and U.S. Rep. Tim Murphy ("Build the Pipeline," Jan. 25 Perspectives) conveniently neglect to mention that there is already a Keystone pipeline. Operating since 2010, the existing Keystone pipeline brings oil from Alberta, Canada, to refineries in Illinois and Oklahoma, which in turn supply U.S. consumers. The XL section of the pipeline would extend it to ports and refineries on the Gulf Coast in Texas. The real purpose of the Keystone XL pipeline then is not to make the United States less dependent on foreign oil -- after all, the oil comes from Canada, a foreign nation -- but rather to make it easier to ship the oil overseas, where it will earn the oil companies much more than if it stays here.

From Early Bird Hauling business gives items new life One firm's trash can be a nonprofit's treasure. In 2007, James Wallace got a small pickup truck and began wading into the world of other people's waste. He started in his native Beaver Falls, renting first one small garage and then another. He began trolling other towns on their garbage nights and graduated from scrap to usable items, like refrigerators. The next year, he incorporated as U Call, We'll Haul and began getting jobs that were really heavy, emotionally and physically.

From Early Bird GETintoNATURE: New rule bans giant snakes The Florida Everglades teems with wildlife. Until relatively recently, alligators were king. They eat just about everything. Today, however, even gators succumb to huge exotic snakes. Freed by irresponsible collectors and pet owners, giant constrictors have climbed atop the Everglade's food chain. These snakes can weigh more than 100 pounds grow to almost 20 feet in length.

Obama's backing of shale gas aimed at voters in Marcellus region

President Barack Obama's early valentine to the natural gas industry in his State of the Union address Tuesday spurred activist anxiety and industry infatuation, but the lengthy section dedicated to domestic energy was also an appeal to the millions of voters living above the Marcellus Shale formation. Sure, the Middle Atlantic states were never specifically mentioned, but Mr. Obama's endorsement of the nation's shale gas particularly resonates in these swing states. Texas and its Barnett Shale region are not expected to tip Democratic anytime soon, and no candidate is looking at North Dakota's drilling boom and salivating for three electoral votes.

PENNLIVE

From Early Bird EPA announces new testing and fresh water for Dimock

(late Thursday) The U.S. Environmental Protection Agency announced Thursday it would conduct independent tests of well water at 60 homes in Dimock, where Cabot Oil & Gas has been accused of fouling the aquifer as it drilled for gas in the Marcellus Shale. The EPA said it will conduct tests at approximately 60 homes. It will also ensure temporary water is supplied to four homes "where data reviewed by EPA indicates that residents' well water contains levels of contaminants that pose a health concern."... Regional EPA Administrator Shawn M. Garvin said in a press release, "We believe that the information provided to us by the residents deserves further review, and conducting our own sampling will help us fill information gaps. Our actions will be based on the science and the law and we will work to help get a more complete picture of water quality for these homes in Dimock." The release added that "natural gas plays a key role in our nation's clean energy future and the Obama Administration is committed to ensuring that the development of this vital resource occurs safely and responsibly." The EPA said it would take approximately three weeks to conduct the tests and another five weeks to get results.

Editorial Op-Ed: Governor, lawmakers, we're waiting for Marcellus legislation Marcellus Shale was one of the few topics in President Obama's State of Union address that garnered enthusiastic applause from both sides of the aisle. Well, he didn't actually say Marcellus Shale, but he might as well have. He praised the nation's supply of natural gas "that can last America nearly 100 years." He promised to "safely develop" natural gas to support more than 600,000

jobs, “because America will develop this resource without putting the health and safety of our citizens at risk.” Frankly, that part of the president’s speech sounded a lot like what Republican Gov. Tom Corbett has been saying for a year. But so far in Pennsylvania, it’s been all talk and little action. Our state is still without a severance tax or impact fee on Marcellus Shale drillers, let alone updated safety and environmental regulations for the industry. Companies only have to post a \$2,500 bond per well, an amount that hasn’t changed since the 1980s and isn’t going to go a long way if there’s an incident.

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From Early Bird New databases improve access to state gas drilling records A redesigned website for the state's Office of Oil and Gas Management features new data tools that simplify the public's access to permit records, drilling dates, inspections and enforcement actions for the state's multiplying natural gas wells. The site debuted two weeks ago for the Department of Environmental Protection's high-profile office, which has come under recent criticism for inconsistency in its public data about Marcellus Shale gas wells.

LEHIGH VALLEY NEWS

From Early Bird *Environmental* groups to sue EPA over delayed coal ash regulations It’s been more than three years since a coal ash spill in eastern Tennessee was labeled the largest environmental disaster of its kind in the United States. It’s been more than six years since a PPL containment area failed in Lower Mount Bethel Township sending more than 100 million gallons of ash slurry into the Delaware River. But federal regulations have yet to be implemented. Several environmental groups hope to change that and have announced plans to sue the Environmental Protection Agency over what they consider an example of the agency caving to political and corporate pressure.

READING EAGLE

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WBGH.COM

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ALLENTOWN MORNING CALL

Marcellus Shale benefits some Lehigh Valley businesses

9:57 a.m. EST, January 30, 2012 What does the Marcellus Shale industry mean to the Lehigh Valley and all of Pennsylvania? Aside from a handful of groups that rely on permanent crisis for support, people in this state realize the importance of this new energy resource. The natural gas being extracted from the shale two miles underneath us is providing jobs, energy independence and, to the surprise of many, tax revenues — \$1.4 billion in state and local taxes during 2009-10 alone. Some critics talk about how Gov. Tom Corbett should make the drillers "pay their fair share." But what does this term, "fair share," mean? Is it the more than \$76 billion that shale gas contributed to the gross domestic product in 2010 that is expected to increase to \$231 billion in 2035? Or the 600,000 jobs the industry supported in 2010 — expected to grow to more than 1.6 million by 2035? Or is it the spinoffs that have created a boom in support industries, ranging from engineering to environmental services to pipe manufacturing to residential and commercial construction?

WILKES-BARRE TIMES-LEADER

Plan now for ups and downs of gas drilling- Ron Bartizek Get ready for the roller coaster ride. Chesapeake Energy's announcement that it would reduce natural gas drilling in Northeastern Pennsylvania by 30 percent is the first of what likely will be many zigs and zags for the local economy, as energy producers gear up or down depending on prices. Chesapeake acknowledged that it was looking out for "shareholder value" in cutting production, particularly in "dry gas" fields like those in counties to our north. That's poorly disguised code for not being able to make money on gas while the price is low — about half what it was a year ago. That's great for consumers, but not for producers and those holding their stock. How did this happen? "The law of supply and demand," said Steve Forde, a spokesman for the industry trade group Marcellus Shale Coalition. But not entirely, he hinted. "The ongoing uncertainty" surrounding local authority over zoning and the unsettled question of what, if any, tax or fee the drillers will pay, "has weighed on many of the companies' decision making."

PITTSBURGH TRIBUNE-REVIEW

Pennsylvania, two neighbors vie to procure 'cracker'

There's a whirlwind of competition swirling among Pennsylvania, Ohio and West Virginia for the chance to start a new generation of industry and manufacturing. Governors jetting off to Houston. State legislation on the fast track. Big tax breaks to be offered for 15 years in one state and 25 years in another. "I'd say it was pretty fever pitch," said Brenda Nichols Harper, vice president and general counsel of the West Virginia Chamber of Commerce. It's all for

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Pennsylvania eyes tax deals to lure Shell's 'ethane cracker' Big businesses could be in line for millions of dollars in new tax breaks in Pennsylvania under legislation that may be critical in the state's bid to best Ohio and West Virginia for a petrochemicals plant. The bill has quietly moved toward passage as state officials court Royal Dutch Shell plc, which plans to spend as much as \$4 billion to build an "ethane cracker" in the tri-state area. The plant would create several hundred jobs. Senate Bill 1237 would expand Keystone Opportunity Zones, special areas that grant businesses broad tax cuts, credits and exemptions to spur economic development. Businesses that invest at least \$1 billion and create at least 400 permanent, full-time jobs would get an extra five years of tax breaks -- 15 years in all -- with more breaks for manufacturing and processing businesses, under provisions in the bill. "By far, (Keystone Opportunity Zones are) a huge competitive advantage for the commonwealth when companies are looking at Pennsylvania," said Steve Kratz, spokesman for the state Department of Community and Economic Development. "The first thing they say to our program office is that 'we're interested in Keystone Opportunity Zones.'

"Counties scramble to find shale employees places to call home

The shale gas industry's growth is bringing the sting of high rents and housing shortages — previously felt in northern counties — into Greene and Washington counties, experts say.

Shuster: Marcellus shale could revitalize Fayette

U.S. Rep. Bill Shuster, a Republican representing the 9th Congressional District, said the Marcellus shale gas drilling industry offers a tremendous opportunity to revitalize the economy and create jobs in Fayette County and throughout Pennsylvania. But as the gas drilling industry continues to grow, Shuster stressed the importance of making sure companies comply with state and federal guidelines so the environment continues to be protected. "I want to make sure there are good-paying jobs in this area," he told a crowd of about 100 people who gathered at the AMVETS Post 103 in Hopwood on Thursday. "The population has been declining in Pennsylvania. Young people are leaving because we don't have enough jobs," Shuster added. "I also want to make sure that businesses stay in Pennsylvania." Fayette County will serve as the center of the Marcellus shale industry in Pennsylvania, Shuster said, because "this is the place with the wet gas, and that's what they need." "But as the industry grows, I want to make sure the gas companies don't stray away from responsible drilling practices," he said to applause. Although states like Oklahoma and Texas have embraced the oil and gas industry and its pipelines for many years, Shuster said, the industry is new to Pennsylvania and people are concerned. "I understand why people are concerned," the congressman said. "When they took the coal out of here, we had polluted streams. We want to make sure that doesn't happen again."

BEAVER COUNTY TIMES

CEO: Aither Chemical wants 'multiple plants' in region

PITTSBURGH — Aither Chemicals CEO Len Dolhert envisions a day when his company will have multiple ethane-processing plants in the region and throughout the world. But first, the South Charleston, W.Va.-based company has to find a site to construct its initial ethane catalytic cracker plant. And Aither and its Pittsburgh-based partner, Renewable Manufacturing Gateway, a nonprofit clean energy job-creation group, have identified several suitable commercial plant locations in western Pennsylvania, eastern Ohio and northern West Virginia, including one in Beaver County, officials said Thursday.

ASSOCIATED PRESS

Boom in shale drilling slows Pa. crude oil industry

OIL CITY, Pa. -- The deep gas play may be ramping up Pennsylvania's historic oil and gas patch, but it is putting a big hit on the traditional shallow oil drilling and production sprinkled profusely throughout the northwestern

counties."The Marcellus and Utica shale drilling is affecting shallow oil operators," said Ray Stiglitz, owner of Allegheny Well Services Inc. and a longtime oilman. "The question is: why not more oil drilling when PennGrade is nearly at \$100 a barrel? There are a lot of reasons and they involve what is happening because of the deep gas drilling."Repercussions from the shift to deep gas recovery are threatening the state's crude oil industry. Rapidly increasing supply and well service prices, scarcity of materials, waning interest in oil drilling, difficulty in signing oil leases, onerous new regulations and more are whipsawing oil drillers and producers. In turn, oil production is down, and that is hurting the region's two leading refiners that rely on western Pennsylvania crude oil. "The numbers for oil drilling are down," said Craig Lobins, district manager of the Department of Environmental Protection's oil and gas management office in Meadville. "It's a big drop in 2011 from the previous year."

NPR-STATEIMPACT

Hanger Slams CBS for Dimock StoryFormer Department of Environmental Protection Secretary John Hanger says CBS "botched" a piece about Dimock's water contamination. The report aired on Saturday, and the link has no byline, but from the host intro, it sounds like the reporter's name is Tony Gadda. (a search of his name with different spellings didn't turn up anything on the CBS website) The reporter made a common mistake, he turned methane migration into fracking, despite Hanger's best efforts to the contrary. What gets Hanger's goat the most is that the CBS piece makes a direct link between Dimock's water contamination and fracking. Immediately after making that connection, the camera goes to Hanger himself who says "there are 18 water wells that have been impacted by poor gas drilling in Dimock."

Department of Environmental Protection Deputy Stepping Down

T=Department of Environmental Protection Executive Deputy Secretary John Hines is stepping down from his job next month, according to PA Environment Daily. Hines helped set DEP's water policies, and played a role in last year's departmental reorganization. He had been a contender for DEP secretary, a position that ultimately went to Michael Krancer. Here's more on Hines' departure:

WASHINGTON, D.C.

WASHINGTON POST

From Early Bird Fairfax to pay penalty for wastewater spills Fairfax County has agreed to pay a civil penalty and enter into a consent decree with Virginia's State Water Control Board because of a series of wastewater spills last year, including the discharge of nearly 600,000 gallons of rust-tinged sludge into Pohick Creek and several smaller sewage spills, officials said. After a closed session to discuss legal affairs at its regular meeting last Tuesday, the Fairfax Board of Supervisors disclosed that the county would enter the consent decree. The county also will pay more than \$15,000 into the Department of Environmental Quality's Environmental Response Fund, according to an unsigned copy of the decree. The enforcement action, which is a formal acknowledgment of lapses and of a plan for future compliance, is a rare blemish on the record of a county that prides itself on caring for the environment. It's also a reminder of the challenges Virginia's biggest jurisdiction faces in managing a vast, aging water treatment system.

DELAWARE

WILMINGTON NEWS JOURNAL

From Early Bird More trails will improve our quality of lifeI was excited that the first highlight of Gov. Markell's State of the State address was \$13 million for more hiking and biking trails. But after reading last Friday's article, I became disappointed by John Sigler's comment "Why in the world does Delaware need \$13 million in bike trails." More hiking and biking trails will significantly improve our quality of life.

Citizens object to private beach replenishment

State-owned sand to be used for half-mile stretch at Sea. Two citizens have challenged a 10-year Department of Natural Resources and Environmental Control permit for use of state-owned sand in the replenishment of a half-mile stretch of private beach at Sea Colony in southeastern Sussex County. John Flaherty, president of the Delaware Coalition for Open Government, and Robert V. Martin of Georgetown asked the Environmental Appeals Board to overturn DNREC's approval for the project or to open Sea Colony's oceanfront beach to all. "We feel the Secretary's decision is an improper decision because, not only is the public denied access to replenished beach, but also because sand from offshore public borrow sites are supplied free to Sea Colony," the two said in their appeal.

WEST VIRGINIA

CHARLESTON GAZETTE

From Early Bird Former foreman sues Patriot in methane test scandal

The Associated Press is reporting on this, having picked up the story from the Morgantown Dominion Post: *An ex-mine foreman who admitted faking safety inspection reports is suing Patriot Coal Corp. and the Federal No. 2 mine bosses who he claims pressured him to falsify data. John Renner is awaiting sentencing on federal charges. He pleaded guilty in U.S. District Court in Clarksburg in March 2010, but prosecutors have repeatedly delayed his sentencing, citing his cooperation in an investigation of the mine. The complaint says mine management pressured Renner to fake methane gas readings on sealed sections of the mine to avoid a shutdown that would have stopped coal production. The managers' conduct was "atrocious, utterly intolerable in a civilized community and so extreme and outrageous as to exceed all possible bounds of decency," the complaint charges.*

Blog: Word play: Gas industry protests use of 'F word', but its PR machine takes advantage of focus on 'fracking' Well, The Associated Press spent 888 words toying with whether the use of one word — 'fracking' was appropriate when the media covers the continuing controversies over natural gas drilling. The thrust of the story is that industry is upset with the phrase, and blamed environmental activists for the media's continued use of it:

Steelhammer: Industry backing for fracking is lacking

According to an Associated Press story on Friday, the nation's natural gas industry is looking for a new word to replace "fracking" to describe the hydraulic fracturing process used to extract gas from subterranean rock. Some industry executives apparently believe the word has been co-opted by environmentalists, and is now used as a slur, calling to mind a less socially polite word that sounds similar and begins with the same letter. As controversy over natural gas production in the Marcellus shale formation continues to build, the gas industry is undoubtedly working with public relations pros to come up with a more benign name for the hydraulic fracturing process.

CHARLESTON DAILY MAIL

From Early Bird Editorial: With friends like these, who needs enemies?

President Obama's EPA livens up the West Virginia political landscape

So here are West Virginia Democrats, with President Barack Obama, leader of the war on coal, at the top of the ticket, and a Senate seat and a governorship to win. And what does the administration do? The U.S. Environmental Protection Agency threatens a proposed mountaintop removal mine that would make it less expensive to finish the King Coal Highway, a project dear to Southern West Virginia Democrats. Consol Energy wants to mine 16 million

tons of coal over 14 years with a surface mine that covers 2,300 acres of Buffalo Mountain between Belo and Delbarton in Mingo County. The post-mining land use plan calls for the coal company, after mining, to build the Delbarton-to-Belo segment of the King Coal Highway.

WHEELING INTELLIGENCER

From Early Bird Industry, Professors at Odds on Gas

Theories on methane's impact debated. ST. CLAIRSVILLE - Professors from Cornell University believe methane released by natural gas drilling activities may be worse for the environment than burning coal, but gas industry officials disagree. "We believe the preponderance of evidence indicates shale gas has a larger greenhouse gas footprint than conventional gas, considered over any time scale," said Robert W. Howarth, ecology and biology professor at Cornell, the Ivy League university based in Ithaca, New York. "The greenhouse gas footprint of shale gas also exceeds that of oil or coal when considered at decadal (10-year) time scales, no matter how the gas is used," he added of the material drillers are extracting in the Marcellus and Utica shale fields.

ASSOCIATED PRESS (W. Va.)

From Early Bird State still in running for cracker, Tomblin says CHARLESTON, W.Va. -- Fresh from a trip to Houston to lure a multibillion-dollar chemical processing plant to West Virginia, Gov. Earl Ray Tomblin may ask the Legislature to consider a new incentive to aid the state's quest, he told The Associated Press in a weekend interview. In his first comments to the media since Thursday's lengthy meeting with potential investors, Tomblin said the proposal involves the potential site for one of these "cracker" plants. He declined to be more specific about the possible incentive. "I'm not sure that I can tell what that is," Tomblin told AP. "We may have to come back to the Legislature another time in order to satisfy some of their needs ... It could very well be this session."

From Early Bird Are Marcellus Shale jobs 'booming'? CHARLESTON, W.Va. -- Danny Simms, a self-proclaimed oil and gas industry expert, recently joined a larger Charleston accounting firm because he said it's time for him to "share the fun" of the industry. For nearly 30 years, Simms' accounting firm offered assistance in the oil and gas industry, among other services, but the small firm sometimes struggled. Simms only had about five people working at one time, which prevented the firm from handling "big jobs" and growing, he said. That changed when he joined Woomer, Nistendirk & Associates PLLC, an accounting firm started by Robert Nistendirk and Stephen Woomer 17 years ago. The firm on Capitol Street offers legal, medical, retail, manufacturers, nonprofit, and many other accounting services. Joining the firm, Simms said, "has offered me something I've been having to fight for years which is staff size. There's a lot of opportunity for us in the oil and gas industry ... we're increasing the capabilities of our firm."

WEST VA METRO NEWS

This Chopper Has Different Fuel

It turns heads. A motorcycle built by Orange County Choppers for Chesapeake Energy is on display at the 2012 West Virginia International Auto Show at the Charleston Civic Center this weekend. But it's not just the look of the bike that's causing a stir; it's what fuels it -- natural gas. Curtis Wilkerson with America's Gas Alliance says the energy source is a fuel of the future. "It burns 50% less emissions. It's 40% less for cost on refueling vehicles. It is domestic. We don't have to import foreign oil. And it creates West Virginia jobs," Wilkerson said. With the Marcellus shale industry apparently here to stay, Wilkerson says West Virginians are poised to pay a lot less for their fuel. "Marcellus is very good for us," he said.

Burdette Calls Cracker Meeting 'Informative'

State Commerce Secretary Keith Burdette says a flight to Houston and back Thursday to meet with representatives of the Shell company about a possible ethane cracker plant was worth it. Burdette, who joined Gov. Earl Ray Tomblin in the meeting, didn't share many specific details when he appeared before the House of Delegates Finance Committee Friday morning, but he did call the meeting "informative." "It was informative for the company and for us," he said. "I would only add I believe the issues now are almost exclusively site-related." An ethane cracker, which uses byproducts from the drilling of natural gas in the Marcellus shale to make other products, could create as many as 12,000 jobs. West Virginia is competing with Ohio and Pennsylvania for crackers that Shell and another company are planning in the region. Sec. Burdette says when a major project

rests solely on a potential site it becomes an entirely different discussion.

MARYLAND

BALTIMORE SUN

From Early Bird Air quality firm to meet with Edgewater Elementary School community

Parents have complained about health concerns. A consulting firm hired by Anne Arundel County schools to test air quality at Edgewater Elementary School will meet with the school community on Tuesday. Ed Light, president of Ashton-based Building Dynamics LLC, said Friday that the company is conducting comprehensive evaluations and reviewing parents' and staff concerns. He said Building Dynamics will meet with the Edgewater community at 7 p.m. Tuesday and that a report would be issued when the firm's study is complete.

Blog: MD sees Bay cleanup costing \$7.5 billion by 2017 Maryland officials have filled in the blanks on their draft Chesapeake Bay cleanup plan, and attached an eye-popping pricetag - \$7.5 billion over the next five years, and nearly double that by 2025. The cost estimates aren't a total shock, as state officials have previously ballparked restoration efforts at around \$15 billion when all was said and done. The plan calls for reducing in-state nitrogen discharges and runoff to the bay by 22 percent and curbing phosphorus nearly 15 percent. The reductions would not fall evenly, with a 30 percent cutback in phosphorus expected from retrofitting storm-water runoff controls in existing communities and a 38 percent drop in nitrogen from septic systems proposed. Even though the O'Malley administration has given itself more time to finish putting bay cleanup measures in place - dropping its 2020 deadline back to 2025, with all the rest of the bay states - Maryland officials still project getting the lion's share of the pollution reductions under way in the next five years. The plan forecasts 78 percent of the nitrogen cutbacks and 98 percent of the phosphorus curbs will be set by 2017. Maryland and the other five states that drain into the Chesapeake Bay have been scrambling since 2010 to come up with detailed blueprints for restoring the ailing estuary, to comply with a "pollution diet" drawn up by the Environmental Protection Agency.

CUMBERLAND TIMES-NEWS

From Early Bird Letter; Maybe some of these fears are based on facts that are proven

The letter written to the editor by Scott Cline, petroleum engineer, argued that citizens concerned about fracking are "long on fiction and short on facts." ("Unfounded fears about shale gas obscure facts," Jan. 25 Times-News). Perhaps Mr. Cline is unfamiliar with the EPA's conclusion in December 2011 that water contamination in Pavillion, Wyo., is caused by hydraulic fracking, with samples from that town containing at least 10 known chemicals used in the fracking process? I also wonder whether Mr. Cline is aware that EPA studies of that town's drinking water in 2010 led the recommendation that citizens not use their tap and well water due to contaminants from dangerous chemicals — the same chemicals used in the fracking process? Chemicals used in fracking do not have to be reported by the gas companies using them and the process is exempt from the Clean Air, Clean Water, and Superfund Acts — acts passed by Congress to protect citizens from exposure to toxic and carcinogenic chemicals.

From Early Bird Letter: Overflowing public sewage systems may also be at fault

I agree with Mr. Jack Miltenberger, president of the Allegany County Farm Bureau, and his letter to the editor on January 27 ("It's wrong to blame farmers for pollution in Chesapeake Bay"). Farmers have been taking the blame for polluting the Chesapeake Bay for many years. Dairy farmers used to be blamed. Have you noticed any dairy farms around the county lately? Then mine waste water was blamed, but that has been practically eliminated. The Potomac River between Pinto and Rawlings used to have a strong odor, and a person wouldn't think of swimming or fishing in it as we used to years ago.

ANNAPOLIS CAPITAL

From Early Bird Our Bay: Cost to flush may double Chances are, it's going to cost you more to flush your toilet starting this summer. Gov. Martin O'Malley is pushing a plan that would effectively double the "flush fee" for most Marylanders. Although Republicans in the General Assembly are fighting the plan, the legislature's Democratic leaders have promised it will pass. The money would go into the state's Bay Restoration Fund, which pays for winter cover crops, septic system upgrades and sewage plant renovations.

From Early Bird Bay website gets a makeover

One of the most popular Chesapeake Bay reference websites got a makeover this week. Officials at the Environmental Protection Agency's Chesapeake Bay Program have been working for a year and a half to make the site easier to navigate.

From Early Bird Thousands dip into bay to raise more than \$2.5M The stars aligned perfectly for the 16th annual MSP Polar Bear Plunge at Sandy Point State Park yesterday. Under blue skies and mild 53-degree temperatures, thousands plunged into the Chesapeake Bay to raise funds for a good cause - Special Olympics Maryland. As quickly as they raced into the somewhat chilly waters, they came streaming - and screaming - back to the shore.

From Early Bird This Week's Take: We need to double down on commitment to clean water If your family is like mine, the struggling economy is making every household economical decision a critical one. I cringed when I got my latest fuel oil bill and turned the thermostat down a couple of degrees to try and lessen the pain of the next bill. My wife and I both own fuel-efficient cars, but we still restrict driving as much as possible to delay filling up our tank as long as we can. Like many families, we are putting off important purchases, hoping to get a little more time out of a pair of shoes or a winter coat. None of this, however, dampens my strong desire for clean water and healthy air. Pollution is pollution, whether it contaminates our environment in a recession, or in an economic boom.

STAR DEMOCRAT

From Early Bird MDE sets hearing on WIP for Feb. 6 in Kent County BALTIMORE The Maryland Department of the Environment has scheduled several public meetings on the state's phase two Watershed Implementation Plans (WIP). The first is scheduled from 1 to 3:30 p.m. Monday, Feb. 6, at Washington College in Chestertown. Subsequent meetings are scheduled in Hagerstown and in Baltimore. Maryland gave the U.S. Environmental Protection Agency its draft phase two plan in December, and it's available for public review and comment through March 9. The plan outlines strategies for meeting a federally mandated pollution diet for the Chesapeake Bay. More information is available online at www.mde.state.md.us.

FREDERICK NEWS POST

From Early Bird 90 years of defending soil, air, woods, waters and wildlife Members of the Izaak Walton League of America are celebrating. Ninety years ago, in 1922, the IWLA was founded by a group of sportsmen meeting in Chicago. Many of them were anglers and they were concerned about the deteriorating conditions of the nation's top fishing streams. Industrial waste and raw sewage were being discharged into waterways. Wetlands were being drained and wildlife habitat being lost. Not content to just talk about the environmental woes of the time, they formed the Izaak Walton League of America, with the mission to defend the environment, promote and practice conservation and improve outdoor recreation and opportunities to do so. The organization's namesake, Izaak Walton, was a 17th-century angler, conservationist and author. His most recognized book is "The Compleat Angler," first published in 1653, a celebration of t

Emmitsburg church to utilize nitrogen to guard against fire

Erected in 1904, Tom's Creek United Methodist Church is one of the oldest religious structures in Emmitsburg, and its congregants want to keep it that way. They are installing a state-of-the-art fire protection system that uses nitrogen gas to combat fire. Installing a traditional sprinkler system would have brought the church up to code, but members say there are no nearby water sources to support a traditional sprinkler system. In addition, it would take nearly 20 minutes to put out a blaze if a new system were not installed in the building. The fire department is about eight

minutes away, and there are no nearby fire hydrants. "It's not just the brick. The block and the wood -- it has religious value," said Wayne Powell, a spokesman for the Vigilant Hose Fire Co. in Emmitsburg.

BALTIMORE BREW

From Early Bird Smoky fire breaks out at Sparrows Point

(Saturday) As the steel mill begins to return to production, a fire erupts south of its furnaces. No injuries so far reported. A fire broke out last night in a waste dump at the Sparrows Point steel mill, sending thick clouds of acrid red and black smoke into residential communities around the mill, eyewitnesses told *The Brew*. Photos sent to this website show a fire with high lapping flames that encompassed a large swath of property at the southeast part of the mill where raw and waste materials are stored. The fire broke out around 8 p.m. and caused no injuries, according to eyewitnesses. Several Baltimore County fire companies responded to the blaze, according to Twitter traffic, including the Providence Volunteer Fire Company 29 in Towson.

WGMD.COM

From Early Bird Bill to Ban Fracking Wastewater Introduced in *Maryland* (Friday) Legislation has been introduced in MD that would ban the treatment of wastewater generated by hydraulic fracking that comes from other states. Maryland officials are still looking at the possibility of allowing fracking in the state – but consumer advocacy groups and some concerned residents are looking at the possible negative effects that Maryland could be exposed to – even if fracking isn't allowed. Officials with "Food & Water Watch" say the chemicals used in fracking are toxic and often radioactive – and the waste is shipped around the country to be treated in municipal plants that don't have the proper resources to handle this sort of wastewater and they want to keep the wastewater out of Maryland treatment facilities. The legislation introduced this week – "the Hydraulic Fracturing Wastewater Prohibition Act" would protect Marylanders from the dangers of fracking.

SO MD NEWS.COM

From Early Bird Outdoors: Acid rain reductions have worked With the wacky bunch of politicians we have in Washington D.C., today, it might be hard to believe that our U.S. Congress could ever do anything positive or beneficial. Those representatives in the House and Senate right now can't seem to agree on anything, but this wasn't always the case. Roll back time a little over 20 years and this same legislative body actually did some good work. In 1990, Congress passed Clean Air Act Amendments. Under Title IV, or the Acid Rain Program, it mandated substantial reductions in sulfur dioxide and nitrogen oxides from power plants that use fossil fuels such as coal, gas and oil. Guess what? In a report to Congress earlier this month, coming from the National Acid Precipitation Assessment Program, "measurable improvements" have been made in air quality, visibility and human health plus the water quality in many acid-sensitive lakes and streams has gotten better because of emissions reductions from electricity generating power plants.

SEVERNAPARKPATCH

From Early Bird Phytoplankton Help Maintain a Healthy Bay Phytoplankton, commonly referred to as algae, are microscopic size, single-cell plants that serve as an important source of food for many creatures that live in the Chesapeake Bay and its tributaries. These tiny plants live near the surface of a body of water and feed on nutrients that are washed into waterways. During warm weather, when excessive amounts of nutrients are washed into waterways, the phytoplankton population will increase dramatically which can warn biologists that an oxygen deprived dead zone may soon be created in the water. Dead zones occur when the phytoplankton die, sink to the bottom of a body of water, and undergo a decomposition process by bacteria which robs the water of the oxygen needed to sustain aquatic life such as fish and crabs.

ASSOCIATED PRESS (Md.)

From Early Bird *Maryland's* bay restoration plan available for public comment

ANNAPOLIS— Maryland's plan for restoring the Chesapeake Bay is now available for public comment. The state presented the plan to the Environmental Protection Agency last month as part of a new federally led effort to restore the bay. The EPA asked all six states in the bay watershed to present their plans for complying with its so-called "pollution diet" for restoring the nation's largest estuary. The Maryland Department of the Environment is also holding public meetings statewide during the public comment period, which ends March 9. Public meetings will be held in Chestertown, College Park, Hagerstown, Baltimore County and Baltimore.

From Early Bird Septics legislation prompts criticism, confusion

BALTIMORE — A reworked bill to control septic systems in Maryland hasn't calmed concerns about state control of local land use, officials with two key stakeholder groups said. Les Knapp Jr., associate director of the Maryland Association of Counties, said it is better than a bill introduced last year but still poses concerns for the state's counties. The largest concern is the expansion of state authority to approve residential subdivisions, he said. Val Connelly, government relations director for the Maryland Farm Bureau, said Friday that the complexity of the bill is an issue, and her group wants to make sure it receives enough study. States in the Chesapeake watershed are working to comply with the U.S. Environmental Protection Agency's tougher, federally led bay restoration plan that requires additional pollution cuts in all areas. Gov. Martin O'Malley surprised many last year with a proposal to ban septic systems, which are a source of nitrogen pollution, for major new developments.

Maryland gas-drilling panel starts 2nd round of work ANNAPOLIS — A state panel is starting work in Annapolis on a second set of recommendations for natural-gas drilling in western Maryland. The Marcellus Shale Advisory Commission meets Friday afternoon in the House of Delegates Office Building. Gov. Martin O'Malley appointed the panel last year to minimize any adverse effects from hydraulic fracturing, or fracking. The drilling technique uses water and chemicals to crack the rock and release the gas. The Department of Natural Resources is scheduled to present plans for monitoring streams and wells for any ill effects. The commission's first report recommended that the state impose a fee on gas leases to fund studies about the impact of drilling. The next set of recommendations due Aug. 1 will cover best practices for exploration and production.

VIRGINIA

ASSOCIATED PRESS (Va.)

From Early Bird Virginia legislators seek to link health impacts, regulation of power providers RICHMOND, Va. — Two Democratic state legislators want Virginia regulators to consider the public health impacts of electricity generation. Sen. Donald McEachin of Henrico County and Del. David Englin of Alexandria will outline their proposals Monday at a news conference in Richmond. They'll be joined by an asthma sufferer. The two say Virginia's electric utilities generate pollution that causes a range of illnesses costing the state and leading to premature deaths. They'll illustrate the problem with a map showing areas hardest hit by coal-fired plants.

Four Bedford County schools to get gardening grant The Bedford County PTA Council will award four elementary schools with a \$1,000 grant to start, maintain or expand gardens on school grounds this spring. The money will be evenly distributed among schools in New London, Moneta, Huddleston and Montvale, the council announced. PTA leaders and principals from the county's 21 schools chose to implement the grant for the first time this year to promote healthy lifestyles through improved nutrition and education. "Our hope is for students to learn and be involved in the gardening process as much as possible," said Traci Blido, president of the PTA Council. School nutrition staff agreed to prepare and serve any produce suitable for consumption from the gardens, the news release said, and Council hopes to extend the program in future years.

MISCELLANEOUS

ASSOCIATED PRESS

From Early Bird Calif air regulators pass auto emissions rules to cut air pollution, spur clean car market **SAN FRANCISCO** — Seeking to influence other states and Washington, California air regulators passed sweeping auto emission standards Friday that include a mandate to have 1.4 million electric and hybrid vehicles on state roads by 2025. The California Air Resources Board unanimously approved the new rules that require that one in seven of the new cars sold in the state in 2025 be an electric or other zero-emission vehicle.

From Early Bird Lunar New Year fireworks send Beijing air pollution soaring under new measuring system **BEIJING** — Clouds of smoke from Lunar New Year fireworks sent air pollution readings soaring in the more sensitive measurement system Beijing started using a little more than a week ago, reports said Sunday

PORT TECHNOLOGY INTERNATIONAL

From Early Bird Maersk signs up for *Virginia* Port's low-emission scheme
Danish shipper Maersk Line has announced that it will burn low-sulfur fuel while at berth in the Port of Virginia from February. Maersk will become the first shipping line to participate in the Commonwealth of Virginia's Green Operator fuel switch program through the Virginia Port Authority (VPA), the Virginia Department of Environmental Quality and the Department of Transportation. It is hoped that the initiative will help to improve air quality in the greater Hampton Roads area, with the significant reduction of sulfur and nitrogen oxide emissions.

BLOOMBERG NEWS

Safe Gas Fracking Touted by Obama Disputed by Environmentalists
President Barack Obama's promotion of fracking as a safe way to boost natural gas production is disputed by environmentalists who say the government lacks tough rules to safeguard air and water. Groups such as Protecting Our Waters say hydraulic fracturing -- in which a mix of water, sand and chemicals are shot underground to break apart rock and free gas -- is tainting drinking water and causing more pollution than is cut by the cheap gas. The broad new federal legislation and regulation the groups advocate would tangle up fracking in miles of red tape, industry leaders counter. "We're disappointed in his enthusiasm for shale gas," Iris Marie Bloom, director of Protecting Our Waters in Philadelphia, said in an interview. Obama "spoke about gas as if it's better for the environment, which it's not."

NEW YORK TIMES

Blog: A Plea for Southern Treasures
The Southern Environmental Law Center, a Virginia-based nonprofit legal advocacy group, has released its 2012 list of the Top 10 endangered places in the Southeast, environmentally speaking. While the list changes from year to year, certain places like the Chesapeake Bay remain a top concern — and issues like pollution from coal-fired power plants and the protection of public lands and old-growth forests are recurring themes. While the list only considers six states, the issues raised by each site resonate nationally, and even globally.